

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: MULTIPLAN HEALTH
INSURANCE PROVIDER LITIGATION

This Document Relates To:

ALL ACTIONS

Case No. 1:24-cv-06795
MDL No. 3121

Hon. Matthew F. Kennelly

**CASE MANAGEMENT ORDER NO. 4 –
INITIAL PRE-TRIAL SCHEDULE**

This matter having been before the Court for a case management conference on October 25, 2024 on several matters concerning pre-trial scheduling, discovery pending anticipated motions to dismiss and to compel arbitration, and a proposal by the Direct Action Plaintiffs (“DAPs”) for a Direct Filing Order, and having considered the Parties’ Joint Status Report (ECF No. 157) and the arguments presented at the October 25, 2024 conference, the Court hereby **ORDERS** as follows:

A. CONSOLIDATED COMPLAINTS

The DAP Executive Committee (“DAP EC”) shall file a Consolidated Master DAP Complaint on or before **November 18, 2024**.

Interim Co-Lead Class Counsel (“Class Counsel”) shall file a Consolidated Amended Class Complaint on or before **November 18, 2024**.

B. RULE 12 MOTIONS & MOTIONS TO COMPEL ARBITRATION

Defendants shall file any motions to dismiss or to compel arbitration of any or all of the claims asserted by the DAPs or the proposed Class on or before **January 16, 2025**.

Oppositions to any motions to dismiss or to compel arbitration shall be filed on or before **March 3, 2025**.

Replies in support of any motions to dismiss or compel arbitration shall be filed on or before **April 2, 2025**.

Page limits for and coordination of briefing on any motions to dismiss or compel arbitration shall be addressed at the video status hearing set for **November 26, 2024 at 1:30 pm CT**. Coordinating and Leadership Counsel for Plaintiffs and Defendants shall meet and confer in advance of the video status hearing on their respective proposals concerning page limits and coordination of briefing.

C. INITIAL DISCLOSURES

Initial Disclosures under Fed. R. Civ. P. 26(a) must be served on or before **December 16, 2024** on the other Parties in their respective actions by:

1. Each Defendant named in the Consolidated Amended Class Complaint or the Master Complaint;
2. Any proposed Class representatives named in the Consolidated Amended Class Complaint; and
3. Any DAP whose case, as of November 18, 2024, has been filed and reassigned to this Court by the Executive Committee of the Northern District of Illinois or transferred by the Judicial Panel on Multidistrict Litigation for coordinated pre-trial proceedings as part of MDL No. 3121. Any DAP whose case is filed by November 18, 2024, but whose case has not yet been reassigned to this Court by the Executive Committee of the Northern District of Illinois or transferred by the Judicial Panel on Multidistrict Litigation for coordinated pre-trial proceedings as part of MDL No. 3121 as of that date, shall have their initial disclosures due five (5) weeks after the earlier of such reassignment or transfer.

Service of Initial Disclosures, or any other participation in discovery while motions to compel arbitration are pending, by any Defendant in accordance with this CMO shall not be interpreted as inconsistent with or otherwise forgoing any right a Defendant may have to enforce an agreement to arbitrate some or all of the claims asserted by one or more Plaintiffs.

**D. DISCOVERY-RELATED ORDERS AND
INITIAL WRITTEN DISCOVERY**

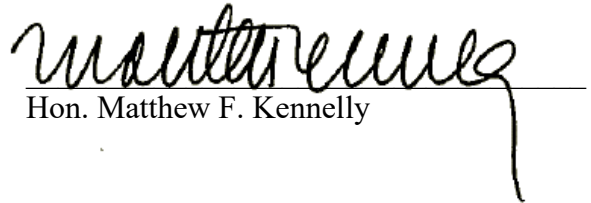
The DAP EC, Class Counsel, and counsel for Defendants named in any Class or DAP complaint currently on file shall promptly meet and confer on proposed orders concerning (1) preservation of evidence, (2) the search for and production of electronically stored information and hard-copy information (including structured data), (3) confidentiality of information provided in discovery, (4) assertions of and challenges to claims of privilege (including application of Fed. R. Evid. 502(d)), and (5) a stipulation concerning expert discovery. On or before **December 16, 2024**, the Parties shall file any stipulated forms of proposed orders on the above issues (and submit Word versions of the proposed orders by email to the Court's proposed orders email address). To the extent there are any disputes as to the form of an appropriate order, the disputing parties shall file a joint letter brief (one per disputed order) on or before **December 16, 2024** setting forth the disputing parties' respective positions, with briefing parameters to be addressed by the Court at the video status hearing set for **November 26, 2024 at 1:30 pm CT**.

Unless the Court orders otherwise via order or at the anticipated discovery hearing before the Court in late January, Class Counsel, the DAP EC, and Defendants may serve initial sets of Requests for Production ("RFPs") on **January 28, 2025**, based on the Consolidated Class Complaint and the Consolidated Master DAP Complaint, as to which written responses and objections shall be served at a time to be determined by the Court.

The Court anticipates setting a case management conference in January 2025 (after the operative complaints and any motions to dismiss or to compel arbitration are filed) to address all discovery issues pending resolution of any motions to dismiss or to compel arbitration.

IS IT SO ORDERED.

Dated: 11/2/2024



Hon. Matthew F. Kennelly